

CO-1910-D-122

245
51
D. U. SUPREME New York County Court.

Sir :

Please take notice that the
within is a copy of a
duly made herein and entered in
the office of the clerk of

on the day of 1

Yours, etc.,

J. NOBLE HAYES,
~~OLNEY & COMSTOCK,~~

Attorneys for

To

Att'y for

EUGENE V. DALY, as permanent
Receiver of the National Gramo-
phone Corporation,
Plaintiff,
v.s.

PETER B. OLNEY and GEORGE
CARLTON COMSTOCK, Co-partners,
doing business under the firm
name of OLNEY & COMSTOCK,
Defendants.

CONSENT and ORDER.

J. NOBLE HAYES,
~~OLNEY & COMSTOCK,~~

Attorneys for
Defendants.

NO. 68 WILLIAM STREET,
NEW YORK, N. Y.

To

Attorney for

hereby admit due and sufficient service of the within.

Dated, New York,

FILED

FEB 10 1910

Fol.I.

At a Special Term of the New York
Supreme Court, Part II., thereof held
in and for the County of New York, at
the County Court House, in the Borough
of Manhattan, City of New York, on
the 10 day of February, 1910.

P R E S E N T:
HON. JAMES W. GERARD,
JUSTICE.

-----X
EUGENE V. DALY, as Permanent
Receiver of the National Gramophone Cor-
poration,
Plaintiff,
-against- ORDER.
PETER B. OLNEY and GEORGE CARLTON
COMSTOCK, Co-partners, doing business under
the firm name of OLNEY & COMSTOCK,
Defendants.

" 2.
On reading and filing the annexed consent, and
on motion of J. Noble Hayes, Esq., Attorney for the above
named defendants, it is

ORDERED that this action be and the same hereby
is discontinued without costs to either party as against the
other; and it is hereby

" 3.
FURTHER ORDERED, that the bond in the sum of Two
thousand (\$2,000) Dollars, heretofore made in this action by
Peter B. Olney and George Carlton Comstock, as principals and
the Aetna Indemnity Company as surety to the above named
plaintiff, dated on or about the 16th day of June, 1904, con-
ditioned for the payment upon demand to the said receiver or
to his successor of any judgment that might be obtained by the
said receiver, or his successor against the said Olney and
Comstock, or either of them in the above entitled action then
pending against them, be and the same hereby is cancelled and
declared null, void and of no effect.

ENTER

just
Justice of the Supreme Court of
the State of New York.

NEW YORK SUPREME COURT,
NEW YORK COUNTY.

-----X
EUGENE V. DALY, as Permanent
Receiver of the National Gramophone
Corporation,

Plaintiff,

-against-

PETER B. OLNEY and GEORGE CARLTON COMSTOCK
Co-partners, doing business under the
firm name of OLNEY & COMSTOCK,

Defendants.

:
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:
:
: STIPULATION.
:
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-----X

IT IS HEREBY STIPULATED AND CONSENTED that the
above entitled action be discontinued without costs to either
party as against the other, and that the bond in the sum of
Two thousand (\$2,000) Dollars, heretofore made in this action
by Peter B. Olney and George Carlton Comstock as principals and
the Aetna Indemnity Company as surety to the above named
plaintiff, dated on or about the 16th day of June, 1904, con-
ditioned for the payment upon demand to the said receiver, or
to his successor, of any judgment that might be obtained by
the said receiver, or his successor, against the said Olney &
Comstock, or either of them, in the above entitled action then
pending against them be cancelled and declared null, void and
of no effect and that an order or orders to that effect may be
entered herein by either party without notice to the other.

Dated, New York, February, 8 1910.

Eugene V. Daly
Receiver and plaintiff's attorney
in person.

Arthur Hayes
Attorney for defendant.